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Company*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PROTECTIVE LIFE INSURANCE  
COMPANY and MONY LIFE INSURANCE  
COMPANY,

Plaintiffs,

vs.

DAVID FLICEK and the ESTATE OF  
ALTHAEA FLICEK, through its Personal  
Representative Heather Funk,

Defendants.

Case No. 2:21-cv-00835-APG-VCF

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE MOTION  
FOR DEFAULT JUDGMENT**

**(First Request)**

Interpleader Plaintiffs Protective Life Insurance Company and MONY Life Insurance Company (“Plaintiffs”) and Defendant David Flicek (“Defendant” and together with Plaintiffs, the “Parties”), by and through their respective counsel, hereby stipulate and agree to extend Plaintiffs’ deadline to file a motion for default judgment. This is the Parties’ first request for such an extension. The Parties request an extension until to November 17, 2021, for the following reasons:

1. On October 18, 2021, this Court ordered Plaintiffs to file a Motion for Default against Defendant the Estate of Althaea Flicek (the “Estate”) no later than November 1, 2021. (ECF No. 20.)

2. On October 21, 2021, Plaintiffs filed and served their Notice of Three-Day Intent to Take Default of the Estate. (ECF No. 21.) Because the Estate has not appeared as a party, Plaintiffs were required to mail the notice to the Estate, adding an additional three days for mailing before Plaintiffs could seek a clerk's default. Fed. R. Civ. P. 6(d). Plaintiffs promptly filed their Motion for Entry of Clerk's Default Against the Estate on October 27, 2021, the first day the motion could be filed under the Federal Rules of Civil Procedure. (ECF No. 22.)

3. As of November 1, 2021, Plaintiffs have not received a clerk's default and have been informed by the Clerk's Office for the U.S. District Court of Nevada that the clerk's default will not be entered until 14 days after filing of the Motion for Entry of Clerk's Default Against the Estate. Therefore, the Parties request that this Court extend the court-ordered deadline for filing a Motion for Default Against the Estate from November 1, 2021 to November 17, 2021.

4. On November 1, 2021, counsel for Defendant agreed to the extension requested herein.

5. This extension request is sought in good faith and is not made for the purpose of delay.

Therefore, the Parties respectfully request an extension for Plaintiffs to file a motion for default judgment to and including November 17, 2021.

Dated November 1, 2021

Dated November 1, 2021

SNELL & WILMER L.L.P.

BOWEN LAW OFFICES

By: /s/ Holly E. Cheong

By: /s/ Jerome R. Bowen

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*Attorneys for Defendant David Flicek*

Case No. 2:21-cv-00835-APG-VCF

**ORDER**

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 11-5-2021

4886-0717-6193

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